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17 Attorneys for the Petitioner

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19 **UNITED STATES DISTRICT COURT**
20 **DISTRICT OF NEVADA**

21 CORNELE A. OVERSTREET, Regional
22 Director of the Twenty-Eighth Region of the
23 National Labor Relations Board, for and on
24 behalf of the National Labor Relations
25 Board,

26 Petitioner,

v.

FLAMINGO CERP MANAGER, LLC on
behalf of FLAMINGO LAS VEGAS
OPERATING COMPANY, LLC d/b/a
FLAMINGO LAS VEGAS,

Respondent.

Case No. 2:17-cv-01814-APG-GWF

**STIPULATION AND
ORDER TO DISMISS WITHOUT
PREJUDICE**

WHEREAS, on June 30, 2017, Petitioner filed an application for enforcement of a
subpoena issued by a federal administrative agency;

1 WHEREAS, on July 10, 2017, Respondent provided Petitioner with documents that
2 Respondent represented are responsive to the subpoena; and

3 WHEREAS, Petitioner has reviewed the documents submitted by Respondent and
4 determined that the documents are responsive to the subpoena, thus obviating the need to pursue
5 these subpoena enforcement proceedings further.

6 NOW THEREFORE, based upon the foregoing, Petitioner and Respondent, by and
7 through their respective counsel, enter into this stipulation of dismissal without prejudice.

8
9 Dated: August 10, 2017

Dated: August 10, 2017

10 /s/ Elise F. Oviedo
11 Elise F. Oviedo, Esq.
12 Nathan A. Higley, Esq.
National Labor Relations Board
Counsel for Petitioner

/s/ Michael R. Hogue
Michael R. Hogue, Esq.
Associate
Greenberg Traurig, LLP
Counsel for Respondent

13 **ORDER**

14 **IT IS HEREBY ORDERED** that Petitioner's Application for Order to Show Cause
15 Requiring Compliance with Subpoena Duces Tecum Pursuant to Section 11(2) of the National
16 Labor Relations Act, as amended (29 U.S.C. § 161(2)), and all further proceedings in this matter
17 are dismissed without prejudice.

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19 Dated: August 11, 2017

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22 UNITED STATES DISTRICT COURT JUDGE